

SENATE BILL 2225
By Wilder

AN ACT to amend Tennessee Code Annotated, Title 43, Chapter 8, Part 1 and Part 3 and Title 62, Chapter 21, Part 1, relative to the use of adjuvants with pesticides.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 43-8-102(1), is amended by adding the following new subdivision:

(E) In the case of a spray adjuvant, any ingredient which will act as a functioning agent;

SECTION 2. Tennessee Code Annotated, Section 43-8-102(11), is amended by inserting the word and punctuation "adjuvant," in the last sentence after the language "plant regulators," and before the language "or nematocides".

SECTION 3. Tennessee Code Annotated, Section 43-8-102, is amended by adding the following as new subdivision (2) and by renumbering the existing subdivisions accordingly:

(2) "Adjuvants" means any substance that, when added to a pesticide, is intended to aid, modify or enhance its effectiveness by its properties of serving as a wetting agent, detergent, spreading agent, synergist, deposit builder, adhesive, surfactant, emulsifying agent, deflocculating agent, water modified, or similar agent, with or without toxic properties of its own, and when sold in a package or container separate from that of the pesticide with which it is to be used.

SECTION 4. Tennessee Code Annotated, Section 43-8-106(c), is amended by adding a new subdivision thereto, as follows:

(4) In the case of adjuvants, surfactants, emulsifiers, setting agents, and other materials included as adjuvants which have nonionic surfactants as the principal agent, the ingredient statement on the label must show the percentage of the active adjuvant at least by the generic chemical name and, further that the specific chemical name identifying the hydrophobic and hydrophilic portions of the molecule and the ratio of the same must be given on a data sheet that shall accompany the label when application for registration is made, the latter being necessary in order that the chemical content may be determined by the department of agriculture, division of technical services, for regulatory purposes. In case of products having cationic and anionic surfactants as the principal agent, the chemical names of such materials must be used in the ingredient statement on the label along with the percentage contents of the principal surfactants. In the case of products not involving hydrophobic and hydrophilic portions of the molecule such as in the case of most synergists and other nonsurfactant adjuvants, the chemical name of such material must be used in the ingredient statement on the label.

SECTION 5. Tennessee Code Annotated, Section 43-8-301(8), is amended by inserting the word "adjuvant" to the last sentence after the word and punctuation "defoliant," and before the words "or nematocide".

SECTION 6. Tennessee Code Annotated, Section 43-8-301, is amended by adding the following new subdivision and by renumbering the existing subdivisions accordingly:

(1) "Adjuvants" means any substance that, when added to a pesticide, is not intended to aid, modify or enhance its effectiveness by its properties of serving as a wetting agent, detergent, spreading agent, synergist, deposit builder, adhesive, surfactant, emulsifying agent, deflocculating agent, water modified, or similar agent, with or without toxic properties of its own, and when sold in a package or container separate from that of the pesticide with which it is to be used;

SECTION 7. Tennessee Code Annotated, Section 62-21-102(13), is amended by adding the word “adjuvant” to the last sentence between the words “defoliant” and “or nematocide”.

SECTION 8. Tennessee Code Annotated, Section 62-21-102, is amended by adding the following new subdivision and renumbering subsequent subdivisions accordingly:

(1) “Adjuvants” means any substance that, when added to a pesticide, is not intended to aid, modify or enhance its effectiveness by its properties of serving as a wetting agent, detergent, spreading agent, synergist, deposit builder, adhesive, surfactant, emulsifying agent, deflocculating agent, water modified, or similar agent, with or without toxic properties of its own, and when sold in a package or container separate from that of the pesticide with which it is to be used.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.